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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/502,041	02/11/2000	Akihiko Hamamura	105400	4683
25944	7590	03/11/2004	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			WU, DOROTHY	
			ART UNIT	PAPER NUMBER
			2615	

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/502,041

Applicant(s)

HAMAMURA ET AL.

Examiner

Dorothy Wu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-11 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. New corrected drawings are required in this application because the drawings utilize the Japanese language in an application filed in the United States. Applicant is advised to submit corrected drawings wherein the Japanese characters are translated into English.

Claim Objections

2. Claim 9 is objected to because of the following informalities: the claim is missing a word that would identify the prelude of the claim, i.e. "an image reproduction apparatus reads out data" instead of "an image reproduction device that reads out data." Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 7 is rejected under 35 U.S.C. 102(e) as being clearly anticipated by Hayashi et al, U.S. Patent 6,618,082.

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Regarding claim 7, Hayashi teaches an electronic camera (digital camera 10) that generates a still image by photographing a subject and records, at least, the still image and a reduced image for thumbnail display corresponding to the still image (col. 2, lines 33-36; col. 3, lines 20-24, 54-59). Hayashi teaches a mode (normal reproducing mode) that sequentially reproduces a plurality of still images recorded in advance (col. 3, line 65-col. 4, line 3), a mode (continuous reproducing mode) that sequentially displays a plurality of reduced images recorded in advance (col. 4, lines 16-21), and the possibility of switching back and forth between the two modes (col. 4, lines 16-18, 30-33). The frame feed reproducing device, high-speed frame feed reproduction device, and switching device are inherently taught.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 5-6, 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayashi et al, U.S. Patent 6,618,082, in view of Fujii, U.S. Patent 6,686,965.

Regarding claim 1, Hayashi teaches an electronic camera (digital camera 10) that generates a still image by photographing a subject, generates image information related to the still image having a data volume smaller than a data volume of the still image, and records the still image and the image information (col. 2, lines 33-36; col. 3, lines 20-24, 58-59). Hayashi teaches a mode (normal reproducing mode) that sequentially reproduces a plurality of still

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images recorded in advance (col. 3, line 65-col. 4, line3), a mode (continuous reproducing mode) that sequentially displays a plurality of images recorded in advance (col. 4, lines 16-21), and the possibility of switching back and forth between the two modes (col. 4, lines 16-18, 30-33). The frame feed reproducing device, high-speed frame feed reproduction device, and switching device are inherently taught. Hayashi does not teach the display of a plurality of sets of image information. Fujii teaches the display of an image along with its frame number, which reads on a set of image information (col. 3, lines 41-48). Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the practice of displaying sets of image information taught by Fujii into the practice of displaying still or thumbnail images in accordance with the operation of an external device taught by Hayashi to make an apparatus that displays sets of image information in accordance with the operation of an external device. One of ordinary skill would have been motivated to make such a modification to make more information available to the user.

Regarding claim 5, Hayashi teaches an electronic camera (digital camera 10) that generates a still image by photographing a subject and records the still image (col. 2, lines 33-36; col. 3, lines 20-24). Hayashi teaches a mode (normal reproducing mode) that sequentially reproduces a plurality of still images recorded in advance (col. 3, line 65-col. 4, line3), a mode (continuous reproducing mode) that sequentially reproduces a plurality of images (col. 4, lines 16-21), and the possibility of switching back and forth between the two modes (col. 4, lines 16-18, 30-33). The frame feed reproducing device, high-speed frame feed reproduction device, and switching device are inherently taught. Hayashi does not teach the display of the frame number. Fujii teaches the display of an image along with its frame number (col. 3, lines 41-48).

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Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the practice of displaying frame numbers taught by Fujii into the practice of displaying still or thumbnail images in accordance with the operation of an external device taught by Hayashi to make an apparatus that displays frame numbers in accordance with the operation of an external device. One of ordinary skill would have been motivated to make such a modification to make more information available to the user.

Regarding claim 6, Hayashi teaches an electronic camera (digital camera 10) that generates a still image by photographing a subject and records, at least, the still image and a reduced image for thumbnail display corresponding to the still image (col. 2, lines 33-36; col. 3, lines 20-24, 54-59). Hayashi teaches a mode (normal reproducing mode) that sequentially reproduces a plurality of still images recorded in advance (col. 3, line 65-col. 4, line 3), a mode (continuous reproducing mode) that sequentially displays a plurality of images recorded in advance (col. 4, lines 16-21), and the possibility of switching back and forth between the two modes (col. 4, lines 16-18, 30-33). The frame feed reproducing device, high-speed frame feed reproduction device, and switching device are inherently taught. Hayashi does not teach the display of a plurality of sets of photographic information. Fujii teaches the display of an image along with its frame number, which reads on a set of photographic information (col. 3, lines 41-48). Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the practice of displaying sets of image information taught by Fujii into the practice of displaying still or thumbnail images in accordance with the operation of an external device taught by Hayashi to make an apparatus that displays sets of image information in accordance with the

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operation of an external device. One of ordinary skill would have been motivated to make such a modification to make more information available to the user.

Regarding claim 9, Hayashi teaches the reproduction of images (col. 3, line 65-col. 4, line 10). Because the apparatus of claim 1 is taught, the image reproduction apparatus corresponding to the apparatus of claim 1 is also taught.

Regarding claim 10, Hayashi teaches a recording medium (flash memory) having recorded therein an image reproduction program (col. 4, lines 50-55; Figs. 3-6). Because the apparatus of claim 1 is taught, the program recorded on the recording medium corresponding to the function of apparatus is also taught.

Regarding claim 11, Hayashi teaches an image reproduction program (col. 4, lines 50-55; Figs. 3-6). See above. The data signal is inherently taught.

5. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayashi et al, U.S. Patent 6,618,082, in view of Fujii, U.S. Patent 6,686,965, and further in view of Shiohara et al, U.S. Patent 6,445,412.

Regarding claim 2, Hayashi teaches that the camera switches from the normal reproducing mode to the continuous reproducing mode if the forward feed button is depressed for two seconds or longer, which reads on switching to using a high-speed frame feed reproduction device if a continuous external operation is received while the frame feed reproduction device is selected (col. 3, lines 65-67; col. 4, lines 16-18). Hayashi in view of Fujii do not teach that the frame feed reproduction device reproduces a still image each time an individual external operation is received at a specific operating unit over intervals exceeding a

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specific length of time. Shiohara teaches that during the normal reproducing mode, a single image is displayed, and if an external operation (depression of button 19 or 20) is not received within a predetermined time period, the apparatus remains in the normal reproducing mode (col. 10, line 57-col. 11, line 13). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the practice of remaining in the normal reproducing mode if individual external operations are received at a specific operating unit over intervals exceeding a specific length of time taught by Shiohara in the apparatus of Hayashi to make an apparatus that selects the reproducing mode based on the timing of the external operation control. One of ordinary skill would have been motivated to make such a modification to provide a simple instruction that enables the user to switch the reproducing mode.

Regarding claim 3, Hayashi teaches that once the operator releases his finger from the feed button during the continuous reproducing mode, the camera reverts to the normal reproducing mode (col. 4, lines 31-33), which reads on the switching to the frame feed reproduction device when external operations are no longer received while the high-speed frame feed reproduction device is selected.

Regarding claim 4, Hayashi teaches that when the camera switches from the continuous reproducing mode to the normal reproducing mode, the CPU reproduces the original image data corresponding to the thumbnail image being displayed immediately before switching over of the mode (col. 4, lines 31-36), which reads on the frame feed reproduction device reproducing a still image corresponding to contents of display implemented by the high-speed frame feed reproduction device immediately before the switching operation.

Allowable Subject Material

6. Claim 8 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims. The prior art does not teach an electronic camera that generates a still image by photographing a subject and records, at least, the still image and a reduced image for thumbnail display corresponding to the still image, comprising: a frame feed reproduction device that sequentially reproduces a plurality of still images recorded in advance, a high-speed frame feed reproduction device that sequentially displays a plurality of reduced images recorded in advance, and a switching device that selects either said frame feed reproduction device or said high-speed frame feed reproduction device to switch between said frame feed reproduction device and said high-speed frame feed reproduction device, wherein said high-speed frame feed reproduction device displays a reduced image superimposed on a still image that has been reproduced by said frame feed reproduction device before a switching operation is performed by said switching device.

Conclusion

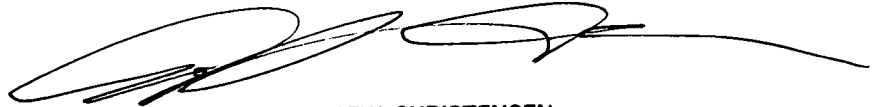
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dorothy Wu whose telephone number is 703-305-8412. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dorothy Wu
DW
March 5, 2004



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